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UNITED STATES DISTRICT COURT 2004 FEB 26 PM 2:09

SOUTHERN DISTRICT OF OHIO

WESTERN DIVISION

U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

JOHN LAMAR BARNES, #336-955

Plaintiff,

vs.

Matthew Thomas, et al.,

Defendants.

Case No.: C-1-02-101

JUDGE SPEIGEL

MAGISTRATE JUDGE PERELMAN

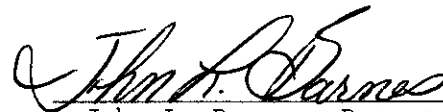
**Plaintiff's Contra Response to Defendant's Response to
Plaintiff's Motion Requesting Subpoena**

On January 5, 2004, Plaintiff filed a motion with this court seeking a subpoena for medical records from the Ohio State University Medical Center. He was requesting a copy of his medical records for a "Post-Op Surgery" done on or about April 16, 2003.

Due to the amount of time that has elapsed (April 2003 – January 2004), the Plaintiff is asking this Honorable Court to subpoena "All" of the Plaintiff's medical records from the Ohio State Medical Center as opposed to receiving only a part of the medical file. The Post-Op surgery report was never turned over to the Plaintiff during the discovery era. It was released to the Plaintiff only after Plaintiff, via, the courts requested a subpoena.

Therefore, Plaintiff seeks an order to deny the Defendant's motion.


Respectfully submitted,



John L. Barnes, Pro se
#336-955 P.O. Box 120
Lebanon, Ohio 45036

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was forwarded to Defendant, Assistant Attorney General, Marianne Pressman (0059512), Corrections Litigation Section, 441 Vine Street, 1600 Carew Tower, Cincinnati, Ohio 45202, via, regular U.S. mail on this 24th day of February, 2004.

 pro se,
John Lamar Barnes, #336-955
P.O. Box 120
Lebanon, Ohio 45036-0120